

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0208

SENATE BILL NO. 56

Introduced by: The Committee on State Affairs at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to define a credit card bank and to revise certain provisions
2 regarding the distribution of the bank franchise tax.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 10-43-1 be amended by adding thereto a NEW SUBDIVISION to read as
5 follows:

6 "Credit card bank," any financial institution subject to the tax imposed by this chapter that
7 derives the majority of income apportioned to this state from the use of credit cards. These
8 activities include fees, transactional costs, interest, and penalties.

9 Section 2. That § 10-43-76 be amended to read as follows:

10 10-43-76. Upon the receipt of the funds referred to in this chapter, the secretary of revenue
11 shall deposit ninety-five percent of the taxes paid by credit card banks ~~organized under §§ 51A-~~
12 ~~2-38 to 51A-2-43, inclusive,~~ and twenty-six and two-thirds percent of all other revenue to the
13 general fund. The secretary of revenue shall remit the remainder, on or before February first of
14 each year, to the county treasurer of the county wherein is situated the bank or financial
15 institution remitting the tax. However, the remittance of tax from all branch banks, branch



1 offices, or branches of other financial institutions subject to this tax shall be separated from the
2 remittance of the parent bank or financial institution and shall be remitted to the county treasurer
3 of the county ~~wherein said~~ in which the branch bank, branch office, or financial institution is
4 located.